

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Dec 30, 2022**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Brian James Lindsey

Case Number: 0980 2:22CR00109-TOR-1

Address of Offender: [REDACTED], Spokane Valley, Washington 99216

Name of Sentencing Judicial Officer: The Honorable Edward J. Lodge, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: October 20, 2015

Original Offense: Interference with Commerce by Robbery, Aid and Abet the Same, 18 U.S.C. §§ 1951 and 2

Original Sentence: Prison - 97 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Patrick J. Cashman

Date Supervision Commenced: January 19, 2022

Defense Attorney: Carter Liam Powers Beggs

Date Supervision Expires: January 18, 2025

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 12/19/2022.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition #3: The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of five (5) periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. Cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

Supporting Evidence: On or about December 19, 2022, Brian Lindsey allegedly violated mandatory condition number 3 by consuming fentanyl and methamphetamine.

On December 21, 2022, the offender appeared before U.S. Magistrate Judge Alexander C. Ekstrom for an initial appearance. At the request of the government, and at the recommendation of the U.S. Probation Office, Judge Ekstrom ordered that Mr. Lindsey submit to random urinalysis testing following the hearing.

As ordered by the Court, the U.S. Probation Office made contact with the offender following the initial appearance on December 21, 2022. Prior to providing a sample, Mr.

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Lindsey admitted to the use of fentanyl on or about December 19, 2022, and he signed an admission of use form confirming that use. The offender then submitted to random urinalysis testing and provided a urine sample that tested presumptive positive for fentanyl and methamphetamine. Because he adamantly denied the use of methamphetamine, the sample was forwarded to the laboratory for further testing.

On December 28, 2022, the undersigned officer received notification from the laboratory that the urine sample provided by Mr. Lindsey on December 21, 2022, was confirmed to be positive for both fentanyl and methamphetamine.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/29/2022

s/Amber M.K. Andrade

Amber M.K. Andrade
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other: ***All pending violations will be addressed at the Revocation of Supervised Release hearing scheduled for 1/18/2023.***



Thomas O. Rice
United States District Judge
December 30, 2022

Date